

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. CV 11-02578-RGK (JCGx)

Date May 11, 2011

Title **MICHAEL HAYES v. CHRYSLER LLC**

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Present: The Honorable R. GARY KLAUSNER, UNITED STATES DISTRICT JUDGE

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Sharon L. Williams	Not Reported	N/A
Deputy Clerk	Court Reporter / Recorder	Tape No.

Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:
Not Present	Not Present

**Proceedings: (IN CHAMBERS) Order to Show Cause re Jurisdiction**

On December 22, 2010, Michael and Jennifer Hayes (“Plaintiffs”) filed the current action against Chrysler Group, LLC (“Defendant”) alleging violation of the Song-Beverly Consumer Warranty Act. On March 28, 2011, Defendant removed this action to federal court on the ground that the action is a core proceeding to a bankruptcy case in the Southern District of New York.. Defendant asserts that adjudication of the action requires the interpretation of a Sale Order, issued by the Bankruptcy Court on June 1, 2009.

The record indicates that a threshold issue of the action may be whether Defendant is the appropriate party to be sued, based on the Bankruptcy Court’s declaration of rights and responsibilities in the Sale Order. However, there is no indication that the underlying issue for determination in the action, i.e., whether a violation of the Song-Beverly Consumer Warranty Act occurred, is core to the bankruptcy proceedings and/or arises under Title 11.

In light of the foregoing, Defendant is hereby ordered to show cause in writing why this action should not be remanded for lack of subject matter jurisdiction. Defendant shall file its response no later than **May 16, 2011**.

**IT IS SO ORDERED.**

Initials of  
Preparer

slw